COMMUNITARIANISM VS. INDIVIDUAL RIGHTS IN THE WEST AND THE ISLAMIC WORLD

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LIBERALISM

In the 1970s, Ronald Dworkin contrasted liberal commitment to individual rights with utilitarian calculations associated with economic rationalism and policy-driven initiatives aimed at general social welfare and security. Dworkin stated that a commitment to the protection of individual rights distinguishes liberal society: It is willing to suffer disadvantages to policy and economic rationalism in order to preserve the freedom and dignity of the individual. Dworkin argued that greater levels of general welfare might be achieved by imposing a seamless uniformity that disregards individual rights. However, this would compromise the liberal philosophy of Western society, which values an individual’s dignity and freedom.

In making these points, Dworkin defended tolerance and restraint with respect to the actions of dissenting individuals and groups that may offend the general mainstream of society. At the time, this philosophical perspective was particularly apposite. It appeared just after the bitter winding down of the U.S. involvement in the Vietnam conflict, in which allegations of civil disobedience and disloyalty had frequently surfaced.

It was frequently claimed by those who supported the U.S. and Western military involvement in the war that the actions of a minority of dissenters were undermining the efforts of the troops and thereby damaging the best interests of society. On this basis, many people argued that these dissenters should be suppressed. Dworkin’s defense of individual rights served to remind people that any such policy contradicted the reason the West had entered the conflict – to oppose totalitarian states. Dworkin argued that toleration was the price that society would have to pay to distinguish itself from its enemies and remain a polity that accorded dignity and respect to the individual as well as to dissenting minorities.

Until the 1980s, the liberal political philosophies of people such as Dworkin and the late John Rawls, often regarded as the doyen of late-twentieth-century liberalism, dominated academia and were widely regarded as authoritative presentations of the superior justice of liberal democratic societies. They forcefully demonstrated how liberal societies achieved individual justice and justice for minorities through the institution of equal individual rights. Policies based on universal rights were essentially
seen as protecting individuals against the interests and politics of the collective.

THE COMMUNITARIAN CHALLENGE

In the 1980s, however, these arguments came into question. A powerful “communitarian” or “cultivist” movement began to gain force and stress the value of the community. These academics questioned the liberal tendency to articulate principles of justice based on the “bipolarity” of the individual, on the one hand, and the state, on the other. They argued that justice must go beyond the idea of equal rights for all citizens and provide special rights for communities and cultural groupings so that these cultural groups could survive and endure the overwhelming threats to their traditions.

The political philosophers who initially criticized liberalism argued that an emphasis on the overwhelming importance of the individual was contrary to actual lived experience. Communitarians argued that liberal philosophy, which based its systems of justice on the preeminent liberty of the individual, projected a notion of the self that conveyed “radically unengaged individuality.” This “liberal self” represented the “thin view of the self” – deracinated, disengaged from culture and community and accordingly suffering the modern diseases of alienation and anomie. These thinkers believed that the emphasis on equal individual rights had failed to protect – and had even undermined – communities and cultural groups because cultural differences were ignored. Some academics suggested that the notion of citizenship should be redefined so that cultural communities, like trade unions and corporations, could gain collective rights.

Ethicists, argued the communitarians, should not rely solely on the efficacy of abstract universal principles, since ethical instruction is always embedded in a particular cultural tradition. It is these particular historical narratives preserved within the cultural community that serve as the enduring source of ethical inspiration, they claimed. Communitarianism became associated with so-called “virtue ethics.” The de-emphasis on principles and universal rules, and the corresponding stress on factors like character, tradition, cultural values and community, produced a normative shift. Now it was seen as necessary to protect given communities seen as repositories of cultural values, rather than to adhere to universal principles with a specific liberal content.

John Rawls, in the face of this onslaught from communitarian and culturalist critics, backed away from the apparent earlier claims that liberal principles had universal application, arguing that his major work on political liberalism is merely a contextual defense of the coherence of modern Western constitutional democracy. Thus liberal principles have an internal coherence within the Western cultural context rather than a universal application beyond it. This was a significant move away from the Enlightenment project, which had stressed the universality of natural law and natural rights (Locke) and emphasized the impartial application of universalized principles (Kant). Rawls’s apparent shift in position meant that the principles of modern liberalism were not universally accessible but rather part of the domain of the Western democratic tradition. This position would have profound implications as the ideological struggles between communist and liberal states.
withered away, providing the rationale for conflict with Islamic communities, as we will see later in the text.

But at the time, communitarian thinking seemed to have led to an unhappy choice of alternatives – an autonomous thin human self subject to universal liberal principles that lack instructional content, and the communitarian thick self fully guided and determined by the norms and practices of the cultural group, devoid of meaning beyond that context. Moreover, initially the distinction between the thin and thick views of the human self was intended as a criticism of the theoretical inadequacy of liberal theory and the tendency of liberalism to foster deracinated individualism. Some, such as Amitai Etzioni, used the dichotomies of the thin and the thick self, the universal and the particular, to contrast the more individualistic states with weaker social order, like the United States, with states exhibiting strong social order and less individual autonomy, like Japan. However, we will see that the distinction would also become a theoretical device to mask the great fault line dividing opposing cultures and “civilizations,” specifically the Western and the Islamic.

Nevertheless, although initially critical of liberal theory and its societal implications, communitarian thinking seemed to have little in the way of political agenda or policy reorientation. Michael Sandel appeared to make a nostalgic appeal to an earlier sense of community that had been lost in a modern America transmogrified by enlarged corporate enterprise and Kafkaesque government bureaucracy. Alistair McIntyre emphasized the disconnection with the earlier historical narratives that had inspired moral commitment without an agenda that might effectively recapture those past traditions. Etzioni, the sociologist, saw the communitarian critique with its emphasis on commitment and social obligation rather than individual rights as an antidote to an American individualism that had become consumed by greed, egoism and self-interest, but he said little on matters of political reorganization beyond emphasis on recovery of traditional values.

Do liberal principles that entail a viable cultural community necessarily entail a liberal community or society that is itself animated by liberal values? Within the context of the nation state, it was clear that the value of the cultural group obligated the state to respect the group rights of minorities based on mutual respect (according to Taylor) and respect for the autonomy of individuals (according to Kymlicka’s account). Thus, communitarianism or culturalism would imply constraint, very much as liberal states must be constrained in the way they treat their minorities so as not to deny individual rights. On the other hand, the logic of supporting and protecting was used to entail not simply constraints but also positive steps to protect cultural integrity. Kymlicka and Taylor foresaw the need for the state to provide support, financial and otherwise. But if a minority culture needs positive support, why would not the dominant culture? Since it fulfills the same positive functions of a minority cultural community (providing an intrinsic social good and a context for autonomous decision making), should it not also have license to take positive steps to protect and support its own culture? A nation is also an “imagined community.” Could not a nation’s dominant culture legitimately regard itself as threatened by its own minority cultures? Moreover, could not a
national community feel itself threatened by other cultures espousing different values and find itself in circumstances that necessitate actions to protect it against extraterritorial cultural incursions?

PROBLEMS WITH CULTURAL IDENTITY

Cultural identity is by no means the sole or even dominant influence on individual values or even normative orientation. Many other groups and associations shape habits, interpretations, goals and motivations. An individual’s identification through some of these classifications, for example nationality, is demographically fixed. Others are voluntary, like jobs and even religious affiliation. Some remain irrevocably fixed, like race, while others, like age, change over one’s lifetime. Although many often regard political and economic association as independent of cultural meaning, they may also be integral to cultural identity. Moreover, this denial of the complexity of intra- and intercultural relations among individuals and groups engaged in a dynamic response to common economic and social forces, results in the reification of “communality, constancy and permanence of group beliefs and values.”

Attempting to understand cultural association independently of the dynamics of political and economic organization has led to a discredited form of “essentialism” that characterizes cultures as sets of fixed ideas or idealized essences. It has been suggested that the economic failings of Middle East states during the 1980s had a profound influence on the growth of extreme Islamist groups, an important factor that has nothing to do with the essential core of Muslim culture or teaching.

Moreover, not only is cultural identity often a weak determinant of individual behavior; the cultural community itself often resists identification through reference to behavioral characteristics based on some consensus over a specific code or set of values. Even relatively homogeneous cultural communities – for example, Muslims in Egypt or Jews in Israel – espouse very diverse views as to which practices and principles should govern conduct. Muslim communities can consist of Sunnis, Shiites or Ismailis, who differ greatly in doctrine and principle, while Jewish communities may often be split by controversy between orthodox and non-orthodox.

Although behavioral explanations based on reified notions of culture are demonstratively inadequate, communitarian critiques provided a language and vocabulary that continued to be used to support facile explanations based on cultural essentialism. It is ironic that terminology used to critique liberal moral theory subsequently became employed to provide pejorative contrasts between Islamic communities and Western liberal states. M.M. Slaughter, for example, writing in the Virginia Law Review, contended that in Islam “there is no a priori self as such, but only self as expressed in, and realized through, constitutive attachments and relations.” The notion of the a priori deracinated self was originally intended as a criticism of liberal theory, which presupposed normative neutrality with respect to the purposes of social existence. As employed by Slaughter, however, it becomes a form of approbation. This is ironic as the idea of an a priori thin view of self detached from community and culture was also meant to highlight the unreality of liberal theory, since even in liberal societies
individuals have to be defined by their constitutive relationships. On this basis, it was claimed, liberal theory presupposes a society of individuals who have no metaphysical significance. But to essentialists such as Slaughter, who have somehow chosen to miss the point, the a priori, thin view of self is taken as an actual description of real individuals in Western liberal regimes, rather than a discredited theoretical construct. These hypothetical beings are then contrasted with individuals in Muslim society, whose identities are said to be a concatenation of relationships, affiliations, memberships and so forth. These, according to the communitarian critique, are the reality of individual existence in any society, Muslim, Christian, Western or Eastern.

The simple idea conveyed is that the Muslim lacks individuality and autonomous existence. Muslims are thus seen as a group that cannot escape the social forces that militate against individual expression and the individual freedoms exercised in liberal democratic states. Slaughter argues that the intense focus on the law, based on the Quran and supplemented by the practices and sayings of the Prophet, is an expression of the *ummah* (community), so that it even replaces the boundaries of corporate identity such as family, tribe and nation. The Muslim individual is entirely determined by context and cannot do otherwise, contrasted with the Westerner, who is capable of thinking and associating freely and creating societies on this basis.

The notion of the Muslim individual as over-determined by social forces appears in other recent essentialist readings of Islam. So-called neo-Orientalism has joined classical Orientalism to portray Islamic society as a social entity whose “essential” core is immune to change by historical influences. Most Western scholars who regard Islam as a unique phenomenon adhere to this viewpoint. The classical Orientalist portrayed Islamic states as anti-democratic because of the authoritarian nature of Muslim culture and political structures. Neo-Orientalism portrays these societies as anti-democratic because of an essential core, with its obstreperous assertive civil organizations, that renders the state paralyzed and weak. According to these thinkers, Muslim efforts to build durable states – from the fourteenth century of Andalusia through seventeenth century Ottoman tax reformers to the Islamist revolutionaries of today – can never succeed, because of the essential anti-state and therefore anti-modern core of Islamic dogma. What emerges in the Islamic world are “transitory predatory” states lacking the cooperation of society and antithetical to the development of capitalism and democracy.

Many of these theorists were not just writing for a narrow audience of Middle East specialists but for a wider international debate. Huntington, who had perhaps the widest audience, wrote that in

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the Islamic countries, especially in the Middle East, "the prospects for democratic development seem low."21 Leading neo-Orientalist Daniel Pipes wrote in the National Review that "... Muslim countries have the most terrorists and the fewest democracies in the world."22 Moreover, they always would, because of their essential characteristics. These and similar views have also been purveyed beyond academia in the Wall Street Journal and the New Republic.23 Political scientist Masoud Kazemzadeh, however, noting the inherent agenda, rejects the term neo-Orientalist in favor of the more culturally neutral term "neo-Cold Warriors" because they see an ahistorical and essentialist Islam as the major threat to Western interests in the post-Cold War period.24

WESTERN CULTURE: FREER, MORE LIBERAL

Even if one could identify Western civilization as more receptive to some set of rules and values relating to individual autonomy, it would be a fundamental error to assume that this is an essential feature of Western civilization. Certainly one can assert that ideas of freedom of conscience, interconnected with the principles of toleration and disestablishment, can be associated with Western culture and traditions. But if one suspends belief in cultural essentialism, the statement only means that these ideas first became accepted in England, Western Europe and North America. It is also the case with Mendel’s laws and the natural law of gravity.25 The ideas of Mendel, Newton and Einstein are universally accepted, and no one regards them as particularly belonging to a Western provenance. Similarly, Locke, Roger Williams and Jefferson were products of the European Enlightenment; yet the ideas they embraced were also espoused by Jawaharlal Nehru and Nelson Mandela.

Ultimately, there is a certain disingenuousness to the repeated assertion that individual rights and personal freedoms are unique Western values that allegedly qualify the non-Western world for instruction if not domination. Moreover, a cursory investigation of Western history indicates that autonomy and freedom of conscience are not more indigenous to the West than the East, nor do they emanate from an inherently occidental culture, as Huntington claims.26 Western liberal values are a recent repudiation of practices that characterized Western societies for centuries. Freedom of thought, expression and conscience have only been won after centuries of struggle against entrenched forces of political and theological orthodoxy intent on enforcing conformity.27

Only in the late sixteenth century did the excesses of intolerance practiced by both Protestants and Catholics begin to abate. However, what followed was a religiously turbulent seventeenth century in which English law treated blasphemy as a form of sedition, as does much of contemporary Islamic law. Although Parliament passed the first Toleration Act in 1650, the tendency to tolerate dissent was constantly undermined by the inclination to limit it to mainstream Protestants. Not until the nineteenth century were there notable increases in toleration with the lifting of significant restrictions against Catholics and Jews, progress having been slowed by, inter alia, reaction to the excesses of the French Revolution’s campaign against religion.28 Even so, blasphemy was still
recognized by the High Court as a common-law offense as late as 1991 in the Rushdie case.\textsuperscript{20}

In America, the historical pattern was remarkably similar. Britain’s American colonies, with the notable exception of Roger Williams’s Rhode Island, emulated the early English legal precepts, establishing religion and criminalizing blasphemous dissent. The English ecclesiastical conflicts tended to be replicated in colonial America with the same intolerance.\textsuperscript{30} Even after independence, judges continued to believe that the English common-law crime of blasphemy still applied in the former colony of New York though it had no statute or established church.\textsuperscript{31}

English law, even in the twentieth century, has been reluctant to allow full freedom of expression, while insisting that its job is to enforce morality on the understanding that morality provides the social cohesion that ensures the survival of society.\textsuperscript{32} Lord Devlin, for example, challenging the view of the Wolfenden Committee Report in his “Hamlyn Lecture on the Enforcement of Morals,” put forth the view that society has a right to punish any kind of act that in the opinion of the right-minded man is grossly immoral. There is no need for proof that the act in question harms assignable individuals or groups.\textsuperscript{33}

The idea that Western liberal society allows individual freedom of conscience and the right to pursue lifestyles so long as they do not interfere with other individuals or communities is one on which there exists no clear consensus. More recently, in post-9/11 America, the passage of the Patriot Act – which severely compromises rights of privacy and relaxes rules governing search and seizure, together with other executive decisions authorizing the indefinite detention of foreign combatants and others without habeas corpus – indicates that the struggle to protect individual liberties remains ongoing. Moreover, these developments have been mirrored in England: since the passage of the Anti-Terrorism Crime and Security Act of 2001, fourteen suspected foreign terrorists have been held without charge or trial (six since 2001).\textsuperscript{34} A form of cultural essentialism that sees personal freedom as a necessary component of the Western way of life blinds one to the reality that the ascendency of personal liberties over the forces of religious and sociopolitical conformity or societal interests has been a recent phenomenon. Moreover, one respected legal analyst in a comparative study of a number of Western and non-Western states noted that the shift to personal autonomy and increased individual liberty appears to be powered by economics, technology and communication, rather than some inherent cultural trait.\textsuperscript{35}

GEOPOLITICAL IMPLICATIONS

Let us return to the issue of international relations and more recent developments involving the West and Islam. As mentioned earlier, subsequent to the communitarian critiques, John Rawls posited that the principles of modern liberalism were not universally accessible to all rational men but rather part of the domain of the Western democratic tradition. But this admission created problems, for as the Eastern bloc crumbled, and the ideological conflict between liberal democracy and communism withered away, we found ourselves with one unchallenged dominant ideology. But rather than universal application, according to communitarian thought and reformulated liberal rethinking,
it had become the property of the Western cultural tradition. This meant that the identification of a given moral system and conception of justice served only as markers to distinguish one cultural community from another, rather than principles with universal application. The struggle between the free world and the communist world had been viewed, in part, as a normative struggle that involved the identification of the universal transcultural moral order, with universal implication for just governance. Antipathy to Western regimes and the Western cultural community could be predicated simply on the rationale of cultural difference as evidenced by the absence of liberal democratic institutions, without the presence of ideological hostility. When ideas and values are seen as valid only for a given cultural domain, ideas, values and principles no longer clash in meaningful debate; rather the cultures clash.

Given the emphasis on the social norm with its basis in communitarian value, coupled with an explanatory reliance on cultural essentialism, it is entirely unsurprising that the post-Cold War political thinker no longer forecast the future in terms of ideological struggle. Fukuyama, for example, spoke of the end of history as a political development enfolded into one dominant ideology. But this did not mean an end to conflict. Huntington famously stated in his 1993 "Clash of Civilizations" article: "It is my hypothesis that the fundamental source of conflict in this new world will not be primarily ideological or primarily economic. The great divisions among mankind and dominating source of conflict will be cultural." He had in mind Islamic culture, apparently transmogrifying de Benois’s ruminations on the internal Islamic threat to French culture to create a transnational anti-Western menace and an emergent geopolitical antagonism between the West and militant Islam. Inevitably, as the interpretation took hold, the antagonism between the West and East, or the “Free World” and Communism, was replaced by the collision of civilizations, in this case Islam and the West.

For those who followed Huntington’s lead, this collision was not interpreted to involve a vital ideological component that distinguishes preferred futures for political organization. There is a simple acceptance of a dominant political culture, Western liberalism, threatened not by a competing ideology but by an atavistic non-democratic cultural movement characterized as militant Islam. The end of history does not mean that the ideals of the Enlightenment have realized a projected universalism, given the thesis that Western values are a unique cultural endowment. Rather, for the West, under a hegemonic American tutelage, the “unipolar moment” has arrived, and the challenge is to project power successfully
against potential challenges to the new world order. At the moment, the principal challenge is interpreted to be terrorism in the guise of Muslim and Arab extremism. In broad terms, this can mean that cultures that cannot reach consensus on a given set of values can be viewed as potential antagonists even if there is no articulated policy stating violent opposition. Conflict that has its basis in cultural difference could be unremitting and of indeterminate duration because it can only be terminated through the transformation of different cultures by acceptance of American hegemony and the imposition of appropriate norms and values. Indeed, one can read the so-called “war on terror” as an extension of the clash-of-cultures thesis. As Dworkin recently points out, “... the danger it cites as justification will last not for a few years, as other real or supposed crises did, but at least for a generation and perhaps longer.”38 Indeed, President Bush himself has defined the twenty-first century in terms of the war on terrorism.39 The clash-of-cultures thesis is thus much more inimical to any hope for cessation in global hostilities. Violent conflict is seen as a simple consequence of cultural difference even in the absence of an ideology, set of principles or statements that prescribe violent confrontation. One should remember that, in contrast to Islamic teaching, the Marxist communism espoused by the so-called Eastern Communist Bloc was committed to the violent overthrow of the Western capitalist states. In other words, the ideology unambiguously stated that communist states and citizens of communist states must be committed to the transformation of capitalist states by violent means. Quite naturally, Western and Communist states were ideologically drawn into both hot and cold wars.

Certainly, there are groups within the Muslim world, such as al-Qaeda and Ansar al-Islam, that preach violence and jihad against the Western world and the United States. Daniel Pipes, presidentially appointed member for 18 months of the board of the United States Institute of Peace, a federal think tank established by Congress to promote the resolution of world conflicts, states that “Islamism is a radical, utopian movement that has much in common with fascism and Marxism Leninism.”40 But no current Muslim state has publicly subscribed to this program. Moreover, there is absolutely no evidence that this is more than a minority view in Muslim communities or has any basis in the accepted teachings of Islam. Just as there are left-leaning communist groups in South America that continue to hold to the ethic of violent struggle against the North, this does not mean that Latin America and its nation states subscribe to this bellicose program or that it is an expression of Latin American Roman Catholicism. On the other hand, as we have said, to make cultural difference a basis for armed opposition only multiplies enemies, because it does not require evidence of violent intent. The by-now-familiar logic of regime change fits nicely into the new formula, as it appears to justify wars on the grounds that democratization or liberalization of a given culture, and thereby the removal of potential Western antagonism, must be achieved through a war that removes the leaders of this culture of autocracy. In the case of Iraq, for example, the country was targeted for invasion and regime change even though the leadership and Saddam Hussein had repeatedly renounced any intention of
attacking Western states or interests. But all the cultural discourse may simply be a cover for a less justifiable political agenda. With respect to the protection of a unique Francophone culture in North America, one commentator observes that Quebec culture is not under particular threat in the province: the French language and the particular Québécois culture are strong throughout Quebec and are in no danger of receding.\textsuperscript{41} The only variation to this homogeneity is to be found in the multicultural city of Montreal, in which case communitarian principles would require preserving the multicultural communities of Montreal rather than transforming the city into a homogeneous French Canadian enclave. Several critics have concluded that, like the New French Right, Quebec nationalism is about racism and specifically which race gets to control the island of Montreal.\textsuperscript{42}

**RATIONALE FOR ETHNIC HEGEMONY**

Likewise, the cultural discourse that sees a clash of civilizations also appears to act as a justification for promoting the Jewish state to a position of dominance and control in the Middle East. The Islamic cultural world is identified as the defined cultural “other” (regressively anti-democratic and devoid of individual liberties). The logic of the communitarian critique combined with the clash-of-cultures thesis can easily be used to support the argument that one ought to identify with the interests of nation-states possessing common values and traditions that are also confronted by this Muslim menace. Just as cultural difference alone can serve as the basis for hostility, cultural likeness becomes the basis for alliance. According to this rationale for alliance, Islamic civilization, which is seen as antithetical to American civilization and world hegemony, also poses a threat to communities that share our traditions. In this vein, Israel, a community that is said to be committed to our values, liberties and democratic political traditions, must receive special aid and military support in order to preserve itself from the threat posed by the proximate Islamic countries of the Middle East.\textsuperscript{43} Israeli supporters argue that “the U.S.-Israel relationship is based on the twin pillars of shared values and shared interests.” As evidence of this commonality of values, it is pointed out that despite the fact that Israelis “… live in a region characterized by autocracies, Israelis have a commitment to democracy no less passionate than that of Americans.”\textsuperscript{44} On the grounds of this alleged commonality of interests and beliefs, it is asserted that support for Israel is one of the most pronounced and consistent foreign-policy values of the American people.

A striking embodiment of this thinking surfaced during the debate in the 2003 Democratic primaries. Candidate Joe Lieberman, in his reply to Howard Dean’s statement that the United States should try to be “evenhanded” in the Israeli-Palestinian conflict, and that “it’s not our place to take sides,” argued that such a policy would “… break a 50-year record in which presidents, Republican and Democrat, and members of Congress of both parties have supported our relationship with Israel based on shared values and common strategic interests.”\textsuperscript{45} If this is the reality of current U.S. policy, then there has been a clear rejection of the Enlightenment project and the Kantian emphasis on the impartial application of universalized principles of justice. Liberal democracies have given up
on fairness, impartiality and the constraints of liberal principles, not to be abandoned regardless of perceived self-interest, and in their place embraced partisan policies based on shared "strategic interests" and an imagined international community (civilization?) of shared values and traditions.

But, again, just as all this cultural discourse and emphasis on protecting the cultural community of shared values – as in the case of France or even Quebec – may simply clothe a demand for racial hegemony, so too the emphasis on shared interests and American-type values easily serves as a transparent justification for Israeli control of the Middle East to satisfy "interests" and values supposedly shared with the American state.

CONCLUSION

It would be foolish to attribute unconditionally these political developments to challenges posed by communitarian thinkers in their attacks on traditional liberal political thought as expressed in the writings of Rawls and Dworkin. However, by de-universalizing liberal principles and making them cultural rather than transcultural realities, one easily slips into a discourse that claims these values as a cultural inheritance that must be protected rather than principles that one must apply. They are seen as part of our way of life, "our freedoms" that are resented by others who seek to destroy them. This has been the favorite interpretation by American officials of the events of 9/11.

I have sought to demonstrate how this interpretation allows that it is not contradictory to suspend liberal principles in order to protect liberty. These values are not normative constraints with transcultural application, but rather dispositions that are the provenance of an essentialist Western culture. If, in this view, they are a natural extension of a distinct Western cultural community, then it is of primary importance to protect that cultural community even if this means the suspension of liberal principles. Thus, the discourse of the "liberal" or "democratic cultural community" provides a powerful rationale for abandoning principles and returning to old authoritarianism when it is expedient to do so – and it can always be expedient because there will always be perceived threats, real or imaginary. When the language of individual freedom is framed in communitarian or culturist discourse, it becomes much more difficult to move to the conclusions of Dworkin and make the unqualified statement that the definition of a liberal community entails a distinct form of toleration of dissent and respect for the individual, in which certain basic freedoms such as the right to trial and other essential personal liberties are more important than the collective interest. Consequently, we have recently seen the eroding of the freedoms of Arab minorities, the disregard for privacy rights in the expansion of search and surveillance authority, and the imprisonment of foreign nationals without trial and contrary to the conventions of war – or even the basic rights accorded to accused criminals – in the name of national security. As Dworkin recently stated, these are policies that "... violate people's fundamental rights – rights at the foundation of the international moral order that nations must respect even when under threat."

Ultimately, political philosophers and theorists need to rediscover liberalism and re-emphasize its universal application. This will help to counter the thinking that
liberalism is a unique cultural attribute of Western civilization by promoting the understanding that these principles possess a universality that may be accessed and recognized by other non-Western communities. For example, the past president of Sri Lanka, Chandrika Kumaratunga, expressed the view that “the free market has become universal and implies democracy and human rights.” She also stated that “when people talk of a clash of values, I think it is an excuse that can be used to cover a multitude of sins.”

Dame Rosalyn Higgins, member of the International Court of Justice and former member of the Human Rights Commission, stated: “Third World members have taken the lead in insisting that human rights are not a set of Western-imposed ideas, but are of universal application speaking to the human condition.”

This thinking would encourage a more enlightened perspective. Additionally, this understanding also guards against a certain easy complacency. Recognition of the universal application of liberal principles means that these principles must also constrain the policies of the governments of those Western states in which the liberal ideology initially developed. If one really respects individual autonomy and liberty, one has to be prepared to constrain self-interest, national and otherwise, in order to fulfill the commitment to freedom.

4. Ibid., Sandel, pp. 12,13.
5. MacIntyre, op. cit., p. 223.
8. Sandel, op. cit.
9. McIntyre, op. cit.
10. Etzioni, op. cit.
12. Ibid., p. 61.
19 Ibid., p. 20, for a summary of the works that have built on this thesis.
27 Franck, op. cit., p. 608.
28 Ibid., p. 613.
29 Ibid., p. 615.
30 Ibid.
31 Ibid., p. 616.
35 Franck, op. cit., p. 624.
41 Walker, op. cit.
44 “All citizens of Israel, regardless of race, religion or sex, are guaranteed equality before the law and full democratic rights. Freedom of speech, assembly and press is embodied in the country’s laws and traditions, upheld by an independent judiciary.” Of course, equality before the law and most of these other rights really only fully extend to those belonging to the Jewish cultural group. The defined “other” possess a much more attenuated set of rights.